

Dated: April 28, 2009

Applicant: BARNETT *et al.*
Serial No: 09/879,825
Filing Date: June 12, 2001
Page: 1 of 2

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE PATENT APPLICATION OF:	Craig W. BARNETT <i>et al.</i>	ATTORNEY DOCKET No:	031792-0311564
SERIAL NO.:	09/879,825	CONFIRMATION NO.:	4591
FILING DATE:	June 12, 2001	EXAMINER:	ARTHUR D. DURAN
		ART UNIT:	3622
FOR:	METHOD AND SYSTEM FOR ELECTRONIC DISTRIBUTION OF PRODUCT REDEMPTION COUPONS		

Petition for Revival of an Application for Patent Abandoned Unintentionally Under 37 C.F.R. § 1.137(b)

Attention: Office of Petitions
MAIL STOP PETITION
Commissioner for Patents
P.O. Box 1450
Alexandria, VA. 22313-1450

Dear Sir:

The above-identified application became abandoned for failure to file a timely and proper reply to the 10.24.08 Final Office Action (hereinafter "Final Action"). The date of abandonment is the day after the expiration date of the period set for reply in the Final Action plus any extensions of time actually obtained.

In particular, the Response and accompanying three-month extension of time submitted on April 24, 2009 did not include a Request for Continued Examination (RCE) as the finality¹ of the 10.24.08 Office Action was inadvertently overlooked.

APPLICANTS HEREBY PETITION FOR REVIVAL OF THIS APPLICATION

Accordingly, pursuant to 37 C.F.R. § 1.137(b), Applicants submit the following items required for a grantable petition:

¹ Applicants contend that the 10.24.08 Office Action was improperly made "Final" as it included new rejections under 35 U.S.C. § 112, ¶1 that were not previously raised by the Examiner during prosecution. The claim recitations identified by the Examiner in the rejection had been previously present in pending dependent claims for which no rejection under 35 U.S.C. § 112, ¶1 was ever made. Applicants therefore had not been afforded a fair opportunity to address the new rejections.

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(1) **Petition Fee.** The small entity fee of \$810.00 [37 C.F.R. § 1.17(m)] is hereby authorized to be charged to Deposit Account No. 033975 (Ref. No. 031792-0311564). Applicant claims small entity status [37 C.F.R. § 1.27].

(2) **Reply and/or Fee.**

- A. The Response and three-month extension of time were *previously* filed on April 24, 2009.
- B. Applicants are submitting the Request for Continued Examination (RCE) herewith.

(3) **Terminal Disclaimer with Disclaimer Fee.** Since this utility patent application was filed on or after June 8, 1995, no terminal disclaimer is required.

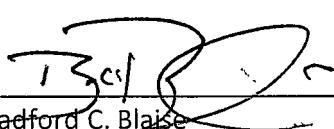
(4) **Statement.** The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 C.F.R. § 1.137(b) was unintentional.

Respectfully submitted,

Date: April 28, 2009

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